

From: [Hennie, Jasmine](#)
To: ["Hutchinson, Robert"](#)
Subject: RE: American Refining Group - Bradford Draft Permit (PA0002674)
Date: Thursday, May 19, 2016 4:27:00 PM

Bob, we have no further comments on the American Refining Group, Inc. - Bradford draft permit.

Thank you.

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Jasmine Hennie
NPDES Permits Branch (3WP41) | Water Protection Division
U.S. EPA Region III
1650 Arch Street | Philadelphia, PA 19103
hennie.jasmine@epa.gov | Ph: (215) 814-5793 | Fax: (215) 814-2318

From: Hutchinson, Robert [<mailto:rohutchins@pa.gov>]

Sent: Thursday, May 19, 2016 9:18 AM

To: Hennie, Jasmine

Subject: RE: American Refining Group - Bradford Draft Permit (PA0002674)

Jasmine, We will change the IW stormwater special condition wording back to what was in the original draft. As for the addressing 316(b) requirements, if you look at the top of the temperature spreadsheet that was provided with my previous e-mail the title reads: **Case 2 Temperature Evaluation - Outfall 002 (makeup water not from a stream intake)**. Since there is no intake then 316(b) does not apply. The company confirmed they use a public, potable water source for their plant water.

From: Hennie, Jasmine [<mailto:Hennie.Jasmine@epa.gov>]

Sent: Wednesday, May 18, 2016 5:55 PM

To: Hutchinson, Robert

Cc: Dickey, Justin; Blanco-Gonzalez, Joel

Subject: RE: American Refining Group - Bradford Draft Permit (PA0002674)

Bob,

Please see my comments in regard to your responses below in red and provide me with any changes to the draft permit and/or fact sheet.

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Jasmine Hennie
NPDES Permits Branch (3WP41) | Water Protection Division
U.S. EPA Region III
1650 Arch Street | Philadelphia, PA 19103
hennie.jasmine@epa.gov | Ph: (215) 814-5793 | Fax: (215) 814-2318

From: Hutchinson, Robert [<mailto:rohutchins@pa.gov>]

Sent: Thursday, May 12, 2016 1:57 PM

To: Hennie, Jasmine <Hennie.Jasmine@epa.gov>

Cc: Dickey, Justin <judickey@pa.gov>; Blanco-Gonzalez, Joel <Blanco-Gonzalez.Joel@epa.gov>

Subject: RE: American Refining Group - Bradford Draft Permit (PA0002674)

Attached are my responses to the comments received from both you and the company. Let me know if you need anything else.

From: Hennie, Jasmine [<mailto:Hennie.Jasmine@epa.gov>]

Sent: Thursday, April 14, 2016 6:45 PM

To: Hutchinson, Robert

Cc: Dickey, Justin; Gaul, Andrew; Trulear, Brian; Blanco-Gonzalez, Joel

Subject: American Refining Group - Bradford Draft Permit (PA0002674)

Bob,

According to our Memorandum of Agreement, the Environmental Protection Agency (EPA) Region III has received the draft National Pollutant Discharge Elimination System (NPDES) permit for:

American Refining Group, Inc. - Bradford

NPDES Number: PA0002674

EPA Received: March 16, 2016

EPA has chosen to perform a limited review based on the 40 CFR § 122.44 and 40 CFR Part 419 requirements. As a result of our limited review, we offer the following comments:

1. Part C.IV.C (*Minimum Required BMPs*) of the draft permit states that for industrial facilities, the permittee shall implement the BMPs in the applicable Appendix to the NPDES PAG-03 General Permit for Discharges of Stormwater Associated with Industrial Activities (NPDES PAG-03) that is currently in effect. Based on the facility's SIC Code (2911), Appendix F is the applicable appendix. It is our understanding that there are no sector-specific BMPs for this appendix listed in the NPDES PAG-03; however, Part C.II of the NPDES PAG-03 contains BMPs that are applicable to all permittees. The draft permit should explicitly state the BMPs that are applicable to all permittees, in addition to referencing the appropriate appendix.

After further review, we recommend that you revert the permit language to the following language that was in the original draft permit (PA0002674):

C. Minimum Required BMPs

In addition to BMPs identified in the PPC Plan, the permittee shall implement the following minimum BMPs relating to stormwater pollution prevention:

- 1. If applicable, post-construction stormwater BMPs that are required under 25 Pa. Code Chapter 102 must be maintained.*
 - 2. For industrial facilities, the BMPs in the applicable Appendix to the NPDES PAG-03 General Permit for Discharges of Stormwater Associated with Industrial Activities that is currently in effect.*
2. Due to the processes at this facility, it appears that the facility may have a heat transfer process which may trigger the installation of a cooling water system and the discharge of heated water; therefore, CWA 316(a) and/or CWA 316(b) may apply. There is not enough information in the fact sheet to determine whether or not CWA 316(a) and CWA 316(b) applies to this facility. Please provide more information about the facility in regard to the cooling water system and the discharge of heated water.

It is our understanding that the information you provided is related to CWA 316(a). Based on the information provided, there is not enough information to determine that CWA 316(b) does not apply. Please provide more information. There is a recently revised PADEP CWA 316(b) NPDES permit requirement, dated July 14, 2015. As a recommendation, PADEP should document whether the draft permit conforms to the CWA 316(b) requirements, including PADEP's requirements above.

3. It appears that the following section (Part C.VIII: *Additional Recovery Well Sampling Requirement*) is included in the current permit; however, it was not included in the draft permit:

"For purposes of developing effluent limits for the proposed addition of remediated groundwater at the existing Outfall 004, Recovery wells RW-SPL-22/24 and RW-SPL-26 were sampled and tested to show expected influent concentrations from the recovery wells. Samples were collected from these wells after one hour of pumping. Since an additional five recovery wells are planned to be installed in the future, additional sampling must be done for the same parameters and the same sampling protocol as was used for the 1/31/2012 sampling event for each new well or combined mixture of these wells. If additional wells beyond the current plan are to be remediated and treated at the Foster Brook Facility, the same sampling procedure must be followed. The results of sampling from these additional sources shall be submitted and approved by the Department prior to sending to the treatment facility."

Please provide an explanation regarding the removal of this requirement in the fact sheet.

Your response is adequate.

4. Based on the fact sheet, the average monthly, maximum daily, and instant maximum allowable concentrations were calculated for the applicable Effluent Limitations Guidelines (ELG) parameters; however only the instant maximum concentrations were included in the draft permit. Please explain why the average monthly and maximum daily concentrations were not included in the draft permit.

Your response is adequate.

5. For Outfall 002, the fact sheet states that phenolics, total chromium, and hexavalent chromium were granted a monitoring waiver because historic sampling has shown they are all non-detectable in the effluent. 40 CFR 122.44(a)(2)(i) states *"The Director may authorize a discharger subject to technology-based effluent limitations guidelines and standards in an NPDES permit to forego sampling of a pollutant found at 40 CFR Subchapter N of this chapter if the discharger has demonstrated through sampling and other technical factors that the pollutant is not present in the discharge or is present only at background levels from intake water and without any increase in the pollutant due to activities of the discharger."*

Therefore, we believe that both the sampling data collected during the current permit and the sampling data collected for the application should have been used in the determination of granting the waiver.

Your response is adequate.

6. It appears that the fact sheet does not include the reason(s) supporting the granting of the monitoring waivers for Outfalls 002 and 004. 40 CFR 122.44(a)(2)(iv) states *"Any grant of the monitoring waiver must be included in the permit as an express permit condition and the reasons supporting the grant must be documented in the permit's fact sheet or statement of basis."* Therefore, the reason(s) for granting the monitoring waiver for Outfall 002 should be provided in the fact sheet. Also, it is unclear whether or not the monitoring waiver for Outfall 004 was granted. Please provide an explanation in the draft permit and/or fact sheet.

Your response is adequate.

7. It appears that there is no Part C.II in the draft permit. Please address all formatting issues.

Your response is adequate.

Please address the above and provide me with any changes to the draft permit and/or fact sheet.

Thanks,

Jasmine

Jasmine Hennie

NPDES Permits Branch (3WP41)

Water Protection Division
U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103
Ph: (215) 814-5793
Fax: (215) 814-2318
Email: hennie.jasmine@epa.gov